## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

**MISC.** 3:93-MC-178

FILED CHARLOTTE, NC

JAN 27 2015

IN THE MATTER OF

US District Court
Western District of NC

ADOPTION OF A

ORDER

SEXUAL HARASSMENT POLICY

FOR THE WESTERN DISTRICT:

OF NORTH CAROLINA

All employees of this court have the right to work in an environment free of discrimination, which encompasses freedom from sexual harassment of employees in any form.

Sexual harassment is considered sex discrimination and will not be tolerated in this District. Such conduct may result in disciplinary action up to and including dismissal.

Specifically, no supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's employment, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.

Other sexually harassing conduct in the workplace which may create an offensive work environment, whether it be in the form of physical or verbal harassment, and regardless of whether committed by supervisors or non-supervisory personnel, is also prohibited. This includes, but is not limited to: repeated unwelcome flirtations; advances; propositions; continual or repeated verbal abuse of a sexual nature; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; and the display in the workplace of sexually suggestive objects or pictures.

This policy statement is not intended to inhibit inoffensive banter, humor, quips and other good natured expressions or conduct of a type that contributes to a positive and mutually enjoyable working environment.

Employees who have complaints of sexual harassment should report such conduct to their supervisors, or if that should be inappropriate, then to their Unit Executive, or if that should be inappropriate, then to the Chief Deputy Clerk or the Clerk of Court. To allow early remediation, such employees should take action as soon as a problem is known to exist, rather than allow a bad or potentially bad situation to simmer and grow worse. Formal complaint procedures for sexual harassment are the same as those outlined in the Employment Dispute Resolution Plan. A copy of the Employment Dispute Resolution Plan is available from the Unit Executive or our Human Resources Department. All complaints will be investigated promptly and, where necessary, immediate and appropriate corrective action will be taken.

All of the Judges of this Court have reviewed this Sexual harassment Policy and agreed that this Policy is reaffirmed as the Policy of this court.

SO ORDERED this 26th day of January, 2015.

Robert J. Conrad, Jr., United States District Court Judge

Martin Reidinger United States District Judge

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Max O Cogburn, Ir. United States District Judge

Richard L. Voorhees United States District Judge

Frank D. Whitney, Chief United States District Judge,

Graham C. Mullen, Senior United States District Judge

\*NOTE: this policy is in the nature of a notice for the general information of employees. It shall not be deemed to modify or enlarge in any way the statutory or case law of the subject matters as it develops from time to time. In the event of any difference between such laws and the statements contained herein, the law of the subject matter in force as of the time of the events in question will govern.